

AMENDED IN SENATE MAY 2, 2005

SENATE BILL

No. 388

Introduced by Senator Poochigian

February 17, 2005

An act to add *and repeal* Section 13823.20 ~~to~~ of the Penal Code, relating to public education about gun violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 388, as amended, Poochigian. Gun violence public education program.

Existing law establishes various public awareness programs related to crime prevention and education.

This bill would establish a *competitive grant* pilot program in 3 ~~counties~~ *jurisdictions*, to provide for a one-year program to disseminate information regarding current prison penalties for the personal use of a firearm during the commission of certain felonies. The participating ~~counties~~ *jurisdictions* would be required to report to the Legislature and the Governor on the impact of the program, as specified. ~~Each county would be eligible for up to \$1,000,000 in jurisdiction would be required to supply a minimum of 25% matching funds. The implementation of the pilot program would be contingent upon the availability of certain federal grant funds for the program, as available.~~

The bill would provide that its provisions are repealed as of January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13823.20 is added to the Penal Code, to read:

13823.20. (a) There is hereby created a one-year antigun violence public information pilot program ~~to be conducted within _____, _____, and _____ counties. The program will be designed to maximize dissemination of information regarding current prison penalties for personal use of a firearm during the commission of enumerated felonies under California's "10-20-Life" law. Participating counties shall employ public service announcements, posters, and other state-approved media alternatives to broadcast the "Use a gun and you're done" message on a consistent basis during the year the program is conducted. Within six months of completion of the program, each participating county shall submit a preliminary report to the Legislature and the Governor's office regarding the impact of the program, as measured by a review of the incidence of firearm-related assaults, robberies, and homicides within the subject county during the 12-month period of the pilot program, and a comparison of the county's previous 12-month experience.~~

(b) ~~Each of the three counties shall receive funding of no more than one million dollars (\$1,000,000) as federal antirime grant funds, as available, to be administered by the Department of Justice. Any county, city, or city and county may apply for a grant to conduct the program in their jurisdiction, pursuant to this section.~~

(b) The program shall be designed to maximize dissemination of information regarding current prison penalties for personal or gang related use of a firearm during the commission of enumerated felonies under California's "10-20-Life" law. Entities participating in the program shall employ public service announcements on billboards, posters, bumper stickers, and other media approved by the department to publicize the "Use a gun and you're done" message on a consistent basis during the year the program is in operation. The media campaign shall be directed at the general public, high schools, and crime afflicted neighborhoods and retail areas. The campaign shall emphasize the penalties for aiding and abetting crimes where a gun is used in the furtherance of gang activity.

1 (c) *Within six months of completion of the program, each*
2 *participating entity shall submit a report to the Attorney General,*
3 *who shall forward copies to the Legislature and the Governor*
4 *regarding the impact of the program, as measured by a review of*
5 *the incidence of firearm-related assaults, robberies, and*
6 *homicides within the subject jurisdictions during the term of the*
7 *program, in comparison to the 12 month period preceding*
8 *implementation of the program in the jurisdiction.*

9 (d) *The Attorney General's office shall, through a statewide*
10 *competitive process, award grants to three jurisdictions to*
11 *participate in the program. The competitive process leading to a*
12 *grant shall be in a manner prescribed and designed by the*
13 *Attorney General. The selection criteria, include, but are not*
14 *limited to, the following for purposes of selecting grant*
15 *recipients.*

16 (1) *Demonstrated ability to collect and analyze data*
17 *demonstrating the impact of the program and meet the reporting*
18 *requirements set forth in subdivision (a).*

19 (2) *Demonstrated access to the resources necessary to*
20 *effectively implement the public information campaign*
21 *established by this section.*

22 (3) *Demonstrated experience in collaborating with community*
23 *partnerships in implementing public information campaigns to*
24 *promote public safety.*

25 (4) *Demonstrated potential for measurable impact from the*
26 *program, as evaluated by the incidence of firearm-related*
27 *assaults, robberies, and homicides in the applicant agency's*
28 *jurisdiction during the 12 month period preceding the*
29 *application.*

30 (e) *Funding shall be used to supplement, rather than supplant,*
31 *existing programs. No grant shall be awarded unless the*
32 *applicant makes available resources in an amount equal to at*
33 *least 25 percent of the amount of the grant. In awarding grants,*
34 *priority shall be given to those proposals that include additional*
35 *funding that exceed 25 percent of the amount of the grant. No*
36 *more than five percent of the total funds allocated shall be used*
37 *for statistical surveys regarding public awareness of the*
38 *10-20-Life law at both the beginning and the end of the pilot*
39 *period, as well as the reports detailing the manner in which the*
40 *funds were expended.*

1 (f) *The Attorney General’s office shall implement this program*
2 *only after a determination by the Department of Finance that*
3 *sufficient funding is available from federal anticrime grant funds*
4 *for those purposes.*

5 (g) *This section shall remain in effect only until January 1,*
6 *2009, and as of that date is repealed, unless a later enacted*
7 *statute, that is enacted before January 1, 2009, deletes or extends*
8 *that date.*

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